

### **REMARKS/ARGUMENTS**

The Final Office Action of August 25, 2006 has been reviewed and these remarks are responsive thereto. Claims 8, 16, 21, 29 and 30 have been amended. No new matter has been added. Claims 8-21 and 28-30 remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

Preliminarily, Applicants would like to thank the Examiner and his supervisor, Karl Easthom, for the courtesies extended to their representative, Elizabeth Almeter, during the Examiner Interview of October 18, 2006. The following remarks include Applicants' substance of interview pursuant to MPEP § 713.04.

#### ***Rejections under 35 U.S.C. § 103***

Claims 8-10, 12, 13 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0145342 to Lyon ("Lyon") in view of U.S. Patent No. 5,734,254 to Stephens ("Stephens"). Applicants respectfully traverse this rejection.

Claim 8 recites, a battery pack comprising, among other features, a pick up coil *configured to alternate between an energized state and a de-energized state at regular intervals in a polling mode* and configured for receiving the inductive energy and for receiving an inductive data communication. Neither Lyon, nor Stephens, alone or in combination, teaches or suggests such a feature.

Lyon describes a method and apparatus used for adaptive inductive charging of a device. Abstract. The device used with the system includes a secondary coil over which a communication port can communicate charge information and status. Para. 0024. Lyon fails to teach or suggest a pick up coil configured to alternate between an energized state and a de-energized state at regular intervals in a polling mode. The addition of Stephens fails to cure this deficiency. Accordingly, Applicants respectfully assert that claim 8 is allowable.

As discussed with the Examiner, U.S. Patent No. 5,963,012 to Garcia et al. ("Garcia") also fails to teach or suggest a pick up coil configured to alternate between an energized state and a de-energized state at regular intervals in a polling mode. Rather, the wireless battery charging system of Garcia describes a charger including an excitation circuit that preferably transmits a resonant frequency *continuously*. Col. 3, lines 21-23. Accordingly, Applicants respectfully assert that claim 8 is allowable over Garcia.

Claims 9-15 and 28-30 depend from claim 8 and are allowable for at least the same reasons as discussed above and further in view of the novel features recited therein. The addition of U.S. Patent No. 5,455,466 to Parks et al. ("Parks"), U.S. Patent No. 6,163,132 to Higuchi et al. ("Higuchi") or U.S. Patent Publication No. 2002/0159434 to Gosier et al. ("Gosier") fails to cure the deficiencies of Lyon and Stephens. Accordingly, Applicants respectfully request withdrawal of these rejections.

Claims 16-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lyon in view of Gosier and further in view of Stephens. Applicants respectfully traverse this rejection.

Amended claim 16 recites a computer implemented method of charging a battery with a battery pack comprising, among other steps, "displaying an object on a graphical user interface indicative of the step of receiving for indicating a type of power being received." None of Lyon, Gosier or Stephens, alone or in combination, teaches or suggests displaying an object on a graphical user interface. Further, none of Lyon, Gosier or Stephens teaches or suggests displaying an object indicative of the step of receiving and indicating a type of power being received. Accordingly, Applicants assert that claim 16 is allowable.

Claims 17-21 and 29-30 that depend from claim 16 are allowable for at least the same reason as claim 16 and further in view of the novel features recited therein. The addition of Higuchi fails to cure the deficiencies of Lyon, Gosier and Stephens.

When evaluating patentability under 35 U.S.C. § 103(a), all claim features must be considered, especially when they are missing from the prior art. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988) (Federal Circuit held a reference did not render the claimed combination

obvious because the examiner ignored a claimed feature that was absent from the reference). For example, Higuchi merely describes a video camera displaying a battery charging status indicated by numerals as an indicator on the display unit, e.g., 229 min. Higuchi fails to teach or suggest displaying an object indicative of the step of receiving and indicating a *type of power being received*. Accordingly, Applicants respectfully request that these rejections be withdrawn.

### CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,  
BANNER & WITCOFF, LTD.

Dated: October 25, 2006

By: /Elizabeth A. Almeter/  
Elizabeth A. Almeter  
Registration No. 57,019

1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Tel: (202) 824-3000  
Fax: (202) 824-3001